



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Confirmation No.: 4238
)
Deepak SAHA, et al.) Group Art Unit: 1725
)
Application No.: 10/622,775) Examiner: Len Tran
)
Filed: July 21, 2003)

For: SEMI-SOLID CASTING PROCESS OF ALUMINUM ALLOYS WITH A GRAIN
REFINER

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

By Official Action dated November 1, 2004, restriction to one of the following inventions is required under 35 U.S.C. § 121:

- I. Claims 31-53, drawn to a method, classified in class 164, subclass 113.
- II. Claims 54-60, drawn to an article, classified in class 428.

In response, Applicant hereby elects Group I, Claims 31-53 for examination in this case, with traverse.

The election is made with traverse, because it is respectfully submitted that the subject matter of all of the claims is sufficiently related such that a thorough search for the subject matter of any one group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803, which states “[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.” It

is respectfully submitted that this policy should apply in this application to avoid unnecessary delay and expense to Applicants and duplicative examination by the PTO.

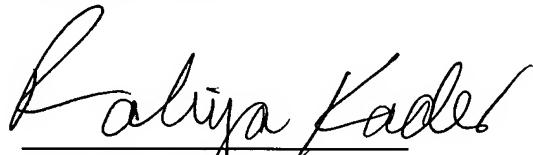
Therefore, the Examiner is respectfully requested to reconsider and withdraw the Restriction Requirement and to examine all claims in this application. Thus, while the inventions being separately patentable, they are related to the same art and the Examiner should not be unduly burdened in doing the search and examination.

If the Examiner feels that there is anything further necessary to respond fully to the Office Action, Applicants request the Examiner telephone Applicants' undersigned representative at 202-861-1746.

No fee is due in connection with the submission of this amendment. However, any extension of time necessary to prevent abandonment is hereby requested, and any fee necessary for consideration of this response is hereby authorized to be charged to Deposit Account No. 50-2036.

Respectfully submitted,

Baker & Hostetler LLP



Rabiya S. Kader
Reg. No. 48,160

Date: November 29, 2004
Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5304
Telephone: 202-861-1500
Facsimile: 202-861-1783